

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PACE SOUTHEAST MICHIGAN  
Employer

and

Cases 07-RC-257046  
07-RC-257047

LOCAL 337, INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS  
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision, Order Severing Cases and Directions of Elections is denied as it raises no substantial issues warranting review.<sup>1</sup> The Employer's request for extraordinary relief is denied.

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., August 7, 2020.

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<sup>1</sup> In denying review, we note that the Board's decision in *San Diego Gas & Electric*, 325 NLRB 1143, 1145 (1998), recognizes that Board elections should, as a general rule, be conducted manually and specifies well-settled guidelines for determining whether a mail-ballot election would normally be appropriate. We agree with the Regional Director that, under normal circumstances, these would almost certainly not be elections where a mail ballot would be considered. But in *San Diego Gas & Electric*, the Board also recognized that "there may be other relevant factors that the Regional Director may consider in making this decision" and that "extraordinary circumstances" could permit a Regional Director to exercise his or her discretion outside of the guidelines set forth in that decision. *Id.*

In finding that mail-ballot elections are warranted in this case, we rely on the extraordinary circumstances resulting from the Covid-19 pandemic. The Board will continue to consider whether manual elections should be directed based on the circumstances then prevailing in the region charged with conducting the election, including the applicability to such a determination of the suggested protocols set forth in GC Memorandum 20-10. Under the circumstances presented in this case, however, we are satisfied that the Regional Director did not abuse her discretion in ordering mail-ballot elections here. We do not, however, rely on footnote 33 of the Regional Director's decision.

The Board is open to addressing the normal criteria for mail balloting in a future appropriate proceeding.